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Attorneys for Defendants CONSTELLATION BRANDS,  
INC. and CONSTELLATION WINES U.S., INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOAN WARREN, on behalf of herself and others  
similarly situated,

Plaintiff,

vs.

E& J Gallo Winery, and DOES 1 to 50, inclusive,

Defendants.

Case No. C-10-1003 SC  
Formerly Case No. 3:11-cv-02138 MEJ

CLASS ACTION

MARK ZELLER, on behalf of himself and others  
similarly situated,

Plaintiff,

vs.

CONSTELLATION BRANDS, INC.;  
CONSTELLATION WINES U.S., INC.; SICA  
CAVE DU SIEUR D'ARQUES; AIMERY  
SIEUR D'ARQUES; VIGNERON DU SIEUR  
D'ARQUES; DOMAINE ET VIGNOBLE DU  
SUD; formerly known as Société Ducasse; and  
DOES 1 to 50, inclusive,

Defendants.

STIPULATION OF DISMISSAL OF ACTION

IT IS HEREBY STIPULATED by and between Plaintiff Mark Zeller and Defendants Constellation Brands, Inc. and Constellation Wines U.S., Inc., being all the parties that have been served in the action entitled *Mark Zeller, on behalf of himself and others similarly situated v. Constellation Brands, Inc.; Constellation Wines U.S., Inc., SICA Cave Du Sieur D'Arques; Aimery Sieur D'Arques; Vigneron Du Sieur D'Arques; Domaine et Vignoble Du Sud, formerly known as Société Ducasse; and Does 1 to 50, inclusive* (formerly Case No. CV 10-8601 CAS in the United States District Court for the Central District of California before its transfer to this District and Case No. 3:11-cv-02138 MEJ immediately following its transfer to this District), that such action, and the complaint and all claims in such action, are hereby dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

Dated: June 1, 2011

KINGSLEY & KINGSLEY, APC

By: /s/ Kelsey Peterson-More

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Dated: June 1, 2011

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Attorneys for Defendants  
CONSTELLATION BRANDS, INC. and  
CONSTELLATION WINES U.S., INC.



ATTESTATION OF CONCURRENCE

I hereby attest that concurrence in the filing of this document has been obtained from Kelsey Peterson-More.

By: /s/ Bruce E. Copeland  
Bruce E. Copeland